

ORIGINAL

MEMORANDUM

Date: January 24, 2011

To: Office of Executive Secretary

From: Elizabeth S. Cortez, Counsel for the General Counsel
Region 13- Chicago

Subject: SK Hand Tool, as debtor in possession
Case 13-CA-46119
Case 13-CA-46298

Please find enclosed an original and seven (7) copies of the Counsel for the General Counsel's Motion to Transfer Proceedings to the Board and Motion for Default Judgment in the above-captioned case.

Enclosures

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

**SK HAND TOOL, AS A DEBTOR IN
POSSESSION**

And

CASE 13-CA-46119

CASE 13-CA-46298

**INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL UNION 743, AFL-CIO**

**MOTION TO TRANSFER PROCEEDINGS TO THE BOARD AND
MOTION FOR DEFAULT JUDGMENT**

Now comes Elizabeth S. Cortez, Counsel for the Acting General Counsel of the National Labor Relations Board, pursuant to Section 102.50 of the Board's Rules and Regulations, Series 8, as amended, who files this Motion to Transfer Proceedings to the Board and Motion for Default Judgment. These Motions are made upon the assertion that the Acting General Counsel is entitled to judgment pursuant to Sections 102.20 and 102.56 of the Board's Rules and Regulations, inasmuch as Respondent has failed to file an Answer to the Order Consolidating Cases, Consolidated Complaint and Notice of Hearing and the Order Consolidating Consolidated Complaint and Compliance Specification and Notice of Consolidated Hearing within the time required thereby. *Windward Roofing and Construction Co., Inc.*, 333 NLRB 658 (2001); *U.S. Telefactors Corporation*, 293 NLRB 567 (1989).

In support of said motions, Counsel for the General Counsel respectfully submits the following:

1. Pursuant to an unfair labor practice charge filed in Case 13-CA-46119 on July 1, 2010, and an amended unfair labor practice charge filed on November 23, 2010, and another unfair labor practice charge filed in Case 13-CA-46298 on September 17, 2010, and an amended charge on November 23, 2010, by International Brotherhood of Teamsters, Local 743, AFL-CIO, ("the Union"), the Regional Director for Region 13 issued an Order Consolidating Cases, Consolidated Complaint and Notice of Hearing on November 30, 2010. Similarly, on December 21, 2010, the Regional Director filed an Order Consolidating Consolidated Complaint and Compliance Specification and Notice of Consolidated Hearing. A copy of said unfair labor practice charges and the Affidavit of Service for each of the charges and amended charges are attached as Exhibits 1 through 8. A copy of the Consolidated Complaint and Notice of Hearing and an Affidavit of Service for this Order are attached as Exhibits 9 and 10, respectively. A copy of the Consolidated Complaint and Compliance Specification and Notice of

Consolidated Hearing and an Affidavit of Service for this Order are attached as Exhibits 11 and 12, respectively.

2. Pursuant to the Board's Rules and Regulations, said Consolidated Complaint described in paragraph (1) above advised Respondent that if Respondent failed to file an Answer to said Consolidated Complaint by December 14, 2010, within 14 days of service thereof, as required under Section 102.20 of the Board's Rules and Regulations, all allegations in the Consolidated Complaint would be deemed to be admitted true and that a Motion for Default Judgment would be filed immediately with the Board.

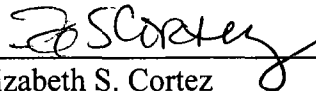
3. In addition, pursuant to the Board's Rules and Regulations, said Consolidated Complaint and Compliance Specification described in paragraph (1) above advised Respondent that if Respondent failed to file an Answer to said Consolidated Complaint and Compliance Specification by January 11, 2011, within 21 days of service thereof, as required under Section 102.56 of the Board's Rules and Regulations, all allegations in the Consolidated Complaint and Compliance Specification would be deemed to be admitted true and that a Motion for Default Judgment would be filed immediately with the Board.

4. On January 13, 2011, Respondent was sent a letter by certified mail, return receipt requested, from Elizabeth S. Cortez, Counsel for the Acting General Counsel, stating Respondent had failed to file an Answer to the outstanding Consolidated Complaint and Consolidated Complaint and Compliance Specification, and that if said Answers were not filed by close of business on January 20, 2011, a Motion for Default Judgment would be filed immediately with the Board. A copy of said "last chance" letter and certified mail receipts are attached hereto as Exhibits 13 and 14, respectively.

5. Since delivery of the Consolidated Complaint and Consolidated Complaint and Compliance Specification and Notice of Consolidated Hearing and the "last chance" letter, Respondent has filed no Answers and none are anticipated. Based on the foregoing, it is clear that no hearing in this matter is necessary and it is appropriate for the Board to issue a Decision and Order without further proceedings herein.

WHEREFORE, Counsel for the Acting General Counsel respectfully moves that the Board grant the Motion to Transfer Proceedings to the Board and Motion for Default Judgment, finding all of the allegations in the Consolidated Complaint and Consolidated Complaint and Compliance Specification to be true and issue an appropriate Remedial Order.

Dated at Chicago, Illinois, this 24th day of January, 2011.



Elizabeth S. Cortez
Counsel for the General Counsel
National Labor Relations Board
Region 13
209 South LaSalle Street, Suite 900
Chicago, IL 60604

Attachments

H:\R13COM\13 C Cases\13-CA-046119\Complaint\MOT.13-CA-46119.Mt Def Jdgmnt.doc

SK Hand Tool, as debtor in possession
Case 13-CA-46119
Case 13-CA-46298

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of the foregoing General Counsel's Motion to Transfer Proceedings to the Board and Motion for Default Judgment have been served in the manner indicated upon the following parties on this 24th day of January, 2011.

CERTIFIED MAIL

National Labor Relations Board
Office of Executive Secretary
1099 14th Street, N.W., Suite 11602
Washington, D.C. 20570-0001
ATTN: Lester A. Heltzer, Executive Secretary

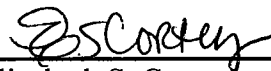
International Brotherhood of Teamsters, Local 743
4620 South Tripp Avenue
Chicago, IL 60632

Ms. Michele Cotrupe
Attorney
Asher, Gittler, Greenfield & D'Alba
200 West Jackson Blvd., Suite 1900
Chicago, IL 60606

Ms. Bella M. Keigher
Corp. HR Mgr. or Claude Fuger CEO
SK Hand Tool
3535 West 47th St.
Chicago, IL 60632

Mr. Bill Anspach, Esq.
Much Shelist
191 N. Wacker Dr., Suite 1800
Chicago, IL 60606

Ms. Colleen E. McManus, Esq.
Much Shelist Denenberg Ament & Rubenstein, P.C.
191 N. Wacker Dr.
Suite 1800 Chicago, IL 60606



Elizabeth S. Cortez
Counsel for the General Counsel

FORM NLRB-501
FORM EXEMPT UNDER 44 U.S.C. 3512
UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

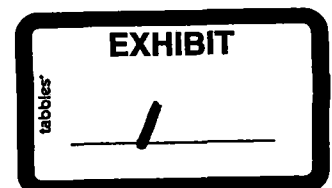
| DO NOT WRITE IN THIS SPACE | |
|----------------------------|------------|
| Case | Date Filed |
| 13-CA-46119 | 7/1/10 |

INSTRUCTIONS:

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1 EMPLOYER AGAINST WHOM CHARGE IS BROUGHT | | |
|--|--|--|
| a. Name of Employer S K Hand Tool | b. Number of workers employed 80+ | |
| c. Address (street, city, state, ZIP code) 3535 West 47 th Street, Chicago, IL 60632 | d. Employer Representative Bella Keigher | e. Telephone No. (773) 475-5219 |
| f. Type of Establishment (factory, mine, wholesaler, etc.) Manufacturing | g. Identify principal product or service Professional Tools | |
| h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and 5 of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act. | | |
| 2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) | | |
| <p>Since in or about February, 2010, and continuing to present, the Employer, through its officers and agents, has refused to sign a collective bargaining agreement with Local 743.</p> <p>By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.</p> | | |
| 3 Full name of party filing charge (if labor organization, give full name, including local name and number) International Brotherhood of Teamsters, Local Union No. 743 | | |
| 4a. Address (street and number, city, state and ZIP code) 4620 S. Tripp Ave., Chicago, IL 60632 | 4b. Telephone No. (773) 254-7460 | |
| 5 Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) International Brotherhood of Teamsters | | |
| 6. DECLARATION | | |
| I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief | | |
| By <u>Michele Cotrupe</u> Signature of representative or person making charge Address Asher, Gittler, Greenfield & D'Alba 200 W Jackson Blvd, Suite 1900, Chicago, IL 60606 | | Title Attorney Date July 1, 2010 |
| Telephone No. 312-263-1500 fax 312-263-1520 | | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)



RECEIVED
NATIONAL LABOR
RELATION BOARD

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CHICAGO, IL



**United States Government
NATIONAL LABOR RELATIONS BOARD
Region 13
209 South LaSalle Street – 9th Floor
Chicago, Illinois 60604
Telephone (312) 353-7570 Fax (312) 886-1341**

July 2, 2010

Ms. Bella M. Keigher
Corp. HR Mgr. or Claude Fuger CEO
SK Hand Tool
3535 West 47th St.
Chicago, IL 60632

Re S K Hand Tool
Case 13-CA-46119

Board Agent Elizabeth Cortez
Telephone (312)353-4174
E-Mail Elizabeth.Cortez@nlrb.gov
Supervisor - **Richard Kelliher-Paz**

Dear Ms. Keigher:

This is to inform you that a charge, a true copy of which is enclosed, was filed in the above-entitled matter. Also enclosed is a statement (Form NLRB-4541) briefly setting forth our investigation and voluntary adjustment procedures.

I would appreciate receiving from you by July 15, 2010, a full and complete written account of the facts and a statement of your position with respect to the allegations of the charge. Also, please complete and return one copy of the enclosed questionnaire regarding commerce information (Form NLRB-5081). Please be aware that a failure to provide this information promptly may result in the issuance of an investigative subpoena for this information without prior notice.

The case has been assigned to the above-listed Board agent. When the Board agent solicits relevant evidence from you or your counsel, I request and strongly urge you or your counsel to promptly present to the Board agent any and all evidence relevant to the investigation. It is my view that a refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily. Full and complete cooperation includes, where relevant, timely providing all material witnesses under your control to a Board agent so that witnesses'

FILING DOCUMENTS WITH REGIONAL OFFICES: The Agency is moving toward a fully electronic records system. To facilitate this important initiative, the Agency strongly urges all parties to submit documents and other materials (except unfair labor practice charges and representation petitions) to Regional Offices through the Agency's E-Filing system on its website: <http://www.nlrb.gov> (See Attachment to this letter for instructions). Of course, the Agency will continue to accept timely filed paper documents.

EXHIBIT

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July 2, 2010

statements can be reduced to affidavit form, and providing all relevant documentary evidence requested by the Board agent. The submission of a position letter or memorandum, or the submission of affidavits not taken by a Board agent, does not constitute full and complete cooperation. Further, please be advised that we cannot accept any limitations on the use of any evidence or position statements that are provided to the Agency. Thus, any claim of confidentiality cannot be honored except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material submitted may be subject to introduction as evidence at any hearing that may be held before an administrative law judge. In this regard, we are required by the Federal Records Act to keep copies of documents used in furtherance of our investigation for some period of years after a case closes. Further, we may be required by the Freedom of Information Act to disclose such records upon request, absent some applicable exemption such as those that protect confidential financial information or personal privacy interests (e.g., Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4)). Accordingly, we will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the foregoing laws, regulations, and policies. Please state the case name and number on all correspondence.

If you or witnesses that you wish to present during the investigation have limited English proficiency, you may request translation assistance. Any such request should be made to the assigned Board agent as early in the investigation as possible.

Attention is called to your right, and the right of any party, to be represented by counsel or other representative in any proceeding before the National Labor Relations Board and the courts. In the event that you choose to have a representative appear on your behalf, please have your representative complete Form NLRB-4701, "Notice of Appearance," and forward it promptly to this office.

Please be advised that, under the Freedom of Information Act, unfair labor practice charges and representation petitions are subject to prompt disclosure to members of the public upon request. In this regard, you may have received a solicitation by organizations or persons who have obtained public information concerning this matter and who seek to represent you before our Agency. You may be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board; their information regarding this matter is only that which must be made available to any member of the public.

The office of the National Labor Relations Board is located on property of the United States government. Accordingly, visitors to the NLRB office are required to exhibit appropriate behavior. In particular, Federal law prohibits visitors to the NLRB office from carrying firearms or other dangerous weapons; any violation is subject to a fine and/or imprisonment for a period of up to five years. 41 CFR § 102.74.440. Prohibited weapons include but are not limited to guns and any gun parts or accessories; ammunition; and knives or other razor blades. Federal law also prohibits visitors to the NLRB office from exhibiting disorderly conduct or loitering where the conduct disrupts the work of NLRB employees or prevents members of the public from receiving NLRB services. 41 CFR § 102.74-390. Finally, federal law prohibits visitors to the NLRB office from creating any hazard on property to persons or things, and stealing any property of the United States government. 41 CFR § 102.74.380. In the event a person violates these or other applicable provisions, he or she will be removed from the Chicago Regional Office; may be banned from visiting the Regional office in the future; and the NLRB or law enforcement agencies may pursue any and all of the other applicable penalties as provided by Federal law.


S K Hand Tool
13-CA-46119 *

- 3 -

July 2, 2010

Customer service standards concerning the processing of unfair labor practice cases have been published by the Agency and are available from the Agency's website at www.nlr.gov. Your cooperation in this matter is invited so that all facts of the case may be considered.

Sincerely,



Arly Eggertsen
Acting Regional Director

dg
Enclosures

I CERTIFY THAT I served the above-referenced charge on July 2, 2010, by postpaid regular first class mail on the addresses named together with a transmittal letter of which this is a true copy.

Denise Gatsoudis

(Signature)

Subscribed and sworn to before me on July 2, 2010.

Roberta Davis

(Designated Agent)



First Amended CHARGE AGAINST EMPLOYER

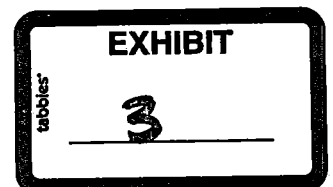
| DO NOT WRITE IN THIS SPACE | |
|----------------------------|------------|
| Case | Date Filed |
| 13-CA-46119 | 11/23/10 |

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT | | |
|--|--|-------------------|
| a. Name of Employer | b. Number of workers employed | |
| S K Hand Tool, as a debtor in possession | 80+ | |
| c. Address (street, city, state, ZIP code) | d. Employer Representative | e. Telephone No |
| 3535 West 47 th Street, Chicago, IL 60632 | Bella Keigher | (773) 475-5219 |
| f. Type of Establishment (factory, mine, wholesaler, etc.) | g. Identify principal product or service | |
| Manufacturing | Professional Tools | |
| h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and 5 of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act | | |
| 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) | | |
| <p>Since in or about February, 2010, and continuing to present, the Employer, through its officers and agents, has refused to sign a collective bargaining agreement with Local 743.</p> <p>By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.</p> | | |
| 3. Full name of party filing charge (if labor organization, give full name, including local name and number) | | |
| International Brotherhood of Teamsters, Local Union No. 743 | | |
| 4a. Address (street and number, city, state and ZIP code) | 4b. Telephone No | |
| 4620 S. Tripp Ave., Chicago, IL 60632 | (773) 254-7460 | |
| 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) | | |
| International Brotherhood of Teamsters | | |
| 6. DECLARATION | | |
| I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. | | |
| By <u>Michele Cotrupe</u> | | Title Attorney |
| Signature of representative or person making charge Michele Cotrupe | | |
| Address | | Date |
| Asher, Gittler, Greenfield & D'Alba | | November 23, 2010 |
| 200 W. Jackson Blvd., Suite 1900, Chicago, IL 60606 | | |
| Telephone No | | |
| 312-263-1500 | | |
| fax 312-263-1520 | | |

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)**



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United States Government
NATIONAL LABOR RELATIONS BOARD
Region 13
209 South LaSalle Street – 9th Floor
Chicago, Illinois 60604
Telephone (312) 353-7570 Fax (312) 886-1341

November 23, 2010

Ms. Bella M. Keigher
Corp. HR Mgr. or Claude Fuger CEO
SK Hand Tool
3535 West 47th St.
Chicago, IL 60632

Re S K Hand Tool, as a debtor in possession
Case 13-CA-46119

Board Agent Elizabeth Cortez
Telephone (312)353-4174
Email address Elizabeth.Cortez@nlrb.gov

Dear Ms. Keigher:

This is to inform you that an amended charge, a copy of which is enclosed, has been filed in the above captioned matter. If you have not yet done so, you are requested to submit promptly a complete written statement of your position in respect to the allegations set forth in the charge and the amendment(s).

All communications and submissions should be made to the Board Agent assigned to this case at the telephone number listed above.

Sincerely,

Joseph A. Barker
Regional Director

nw

Enclosures

cc: Mr. Bill Anspach, Esq.
Much Shelist
191 N. Wacker Dr.
Suite 1800
Chicago, IL 60606

I certify that I served the above referred charge this day by post-paid regular mail on the addressee named above, together with a transmittal letter of which this is a true copy.

/s/ Denise Gatsoudis
Denise Gatsoudis

Subscribed and sworn to before me this 23rd day of November, 2010.

/s/ Roberta Davis
(Designated Agent) Roberta Davis

I certify that I served the above referred charge this day by post-paid regular mail on the addressee named above, together with a transmittal letter of which this is a true copy.

/s/ Denise Gatsoudis
Denise Gatsoudis

Subscribed and sworn to before me this 23rd day of November, 2010.

/s/ Roberta Davis
(Designated Agent) Roberta Davis

FORM NLRB-501
FORM EXEMPT UNDER 44 U.S.C. 3512
UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

| DO NOT WRITE IN THIS SPACE | |
|----------------------------|------------|
| Case | Date Filed |
| 13-CA-46298 | 9/17/10 |

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT | | |
|---|--|------------------------------------|
| a. Name of Employer S K Hand Tool | b. Number of workers employed 80+ | |
| c. Address (street, city, state, ZIP code) 3535 West 47 th Street, Chicago, IL 60632 | d. Employer Representative Bella Keigher | e. Telephone No. (773) 475-5219 |
| f. Type of Establishment (factory, mine, wholesaler, etc.) Manufacturing | g. Identify principal product or service Professional Tools | |
| h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and 5 and 8(d) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act. | | |
| 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) | | |
| <p>Since in or about February, 2010, and continuing to present, the Employer, through its officers and agents, has refused to sign a collective bargaining agreement with Local 743.</p> <p>In or about June 2010, the Employer, through its officers and agents, unilaterally changed the vacation pay policy for bargaining unit employees.</p> <p>By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.</p> | | |
| 3. Full name of party filing charge (if labor organization, give full name, including local name and number) International Brotherhood of Teamsters, Local Union No. 743 | | |
| 4a. Address (street and number, city, state and ZIP code) 4620 S. Tripp Ave., Chicago, IL 60632 | 4b. Telephone No. (773) 254-7460 | |
| 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization). International Brotherhood of Teamsters | | |
| 6. DECLARATION | | |
| I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. | | |
| By <u>Michele Cotrupe</u> Signature of representative or person making charge Michele Cotrupe | | Title Attorney |
| Address Asher, Gittler, Greenfield & D'Alba 200 W. Jackson Blvd., Suite 1900, Chicago, IL 60606 | | Date September 17, 2010 |
| Telephone No. 312-263-1500 fax 312-263-1520 | | |

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)**



2010 SEP 17 P 4: 22
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United States Government
NATIONAL LABOR RELATIONS BOARD
Region 13
209 South LaSalle Street – 9th Floor
Chicago, Illinois 60604
Telephone (312) 353-7570 Fax (312) 886-1341

September 17, 2010

Ms. Bella M. Keigher
Corp. HR Mgr. or Claude Fuger CEO
SK Hand Tool
3535 West 47th St.
Chicago, IL 60632

Re SK Hand Tool
Case 13-CA-46298

Board Agent Elizabeth Cortez
Telephone (312)353-4174
E-Mail Elizabeth.Cortez@nlrb.gov
Supervisor - Richard Kelliher-Paz

Dear Ms. Keigher:

This is to inform you that a charge, a true copy of which is enclosed, was filed in the above-entitled matter. Also enclosed is a statement (Form NLRB-4541) briefly setting forth our investigation and voluntary adjustment procedures.

I would appreciate receiving from you by October 1, 2010, a full and complete written account of the facts and a statement of your position with respect to the allegations of the charge. Also, please complete and return one copy of the enclosed questionnaire regarding commerce information (Form NLRB-5081). Please be aware that a failure to provide this information promptly may result in the issuance of an investigative subpoena for this information without prior notice.

The case has been assigned to the above-listed Board agent. When the Board agent solicits relevant evidence from you or your counsel, I request and strongly urge you or your counsel to promptly present to the Board agent any and all evidence relevant to the investigation. It is my view that a refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily. Full and complete cooperation includes, where relevant, timely providing all material witnesses under your control to a Board agent so that witnesses'

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EXHIBIT

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statements can be reduced to affidavit form, and providing all relevant documentary evidence requested by the Board agent. The submission of a position letter or memorandum, or the submission of affidavits not taken by a Board agent, does not constitute full and complete cooperation. Further, please be advised that we cannot accept any limitations on the use of any evidence or position statements that are provided to the Agency. Thus, any claim of confidentiality cannot be honored except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material submitted may be subject to introduction as evidence at any hearing that may be held before an administrative law judge. In this regard, we are required by the Federal Records Act to keep copies of documents used in furtherance of our investigation for some period of years after a case closes. Further, we may be required by the Freedom of Information Act to disclose such records upon request, absent some applicable exemption such as those that protect confidential financial information or personal privacy interests (e.g., Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4)). Accordingly, we will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the foregoing laws, regulations, and policies. Please state the case name and number on all correspondence.

If you or witnesses that you wish to present during the investigation have limited English proficiency, you may request translation assistance. Any such request should be made to the assigned Board agent as early in the investigation as possible.

Attention is called to your right, and the right of any party, to be represented by counsel or other representative in any proceeding before the National Labor Relations Board and the courts. In the event that you choose to have a representative appear on your behalf, please have your representative complete Form NLRB-4701, "Notice of Appearance," and forward it promptly to this office.

Please be advised that, under the Freedom of Information Act, unfair labor practice charges and representation petitions are subject to prompt disclosure to members of the public upon request. In this regard, you may have received a solicitation by organizations or persons who have obtained public information concerning this matter and who seek to represent you before our Agency. You may be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board; their information regarding this matter is only that which must be made available to any member of the public.

The office of the National Labor Relations Board is located on property of the United States government. Accordingly, visitors to the NLRB office are required to exhibit appropriate behavior. In particular, Federal law prohibits visitors to the NLRB office from carrying firearms or other dangerous weapons; any violation is subject to a fine and/or imprisonment for a period of up to five years. 41 CFR § 102.74.440. Prohibited weapons include but are not limited to guns and any gun parts or accessories; ammunition; and knives or other razor blades. Federal law also prohibits visitors to the NLRB office from exhibiting disorderly conduct or loitering where the conduct disrupts the work of NLRB employees or prevents members of the public from receiving NLRB services. 41 CFR § 102.74-390. Finally, federal law prohibits visitors to the NLRB office from creating any hazard on property to persons or things, and stealing any property of the United States government. 41 CFR § 102.74.380. In the event a person violates these or other applicable provisions, he or she will be removed from the Chicago Regional Office; may be banned from visiting the Regional office in the future; and the NLRB or law enforcement agencies may pursue any and all of the other applicable penalties as provided by Federal law.

SK Hand Tool

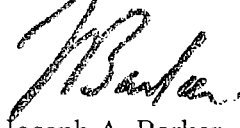
13-CA-46298

- 3 -

September 17, 2010

Customer service standards concerning the processing of unfair labor practice cases have been published by the Agency and are available from the Agency's website at www.nlr.gov. Your cooperation in this matter is invited so that all facts of the case may be considered.

Sincerely,



Joseph A. Barker
Regional Director

nw

Enclosures

I CERTIFY THAT I served the above-referenced charge on September 17, 2010, by postpaid regular first class mail on the addresses named together with a transmittal letter of which this is a true copy.

Denise Gatsoudis

(Signature)

Subscribed and sworn to before me on September 17, 2010.

Roberta Davis

(Designated Agent)

First Amended CHARGE AGAINST EMPLOYER

| DO NOT WRITE IN THIS SPACE | |
|----------------------------|-------------------------------|
| Case 13-CA-46298 | Date Filed 11/23/10 |

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1 EMPLOYER AGAINST WHOM CHARGE IS BROUGHT | | |
|---|--|---|
| a Name of Employer S K Hand Tool, as a debtor in possession | b. Number of workers employed 80+ | |
| c. Address (street, city, state, ZIP code) 3535 West 47th Street, Chicago, IL 60632 | d. Employer Representative Bella Keigher | e. Telephone No. (773) 475-5219 |
| f Type of Establishment (factory, mine, wholesaler, etc) Manufacturing | g Identify principal product or service Professional Tools | |
| h The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and 5 and 8(d) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act | | |
| 2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) | | |
| <p>Since in or about February, 2010, and continuing to present, the Employer, through its officers and agents, has refused to sign a collective bargaining agreement with Local 743.</p> <p>In or about June 2010, the Employer, through its officers and agents, unilaterally changed the vacation pay policy for bargaining unit employees.</p> <p>By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.</p> | | |
| 3 Full name of party filing charge (if labor organization, give full name, including local name and number) International Brotherhood of Teamsters, Local Union No. 743 | | |
| 4a Address (street and number, city, state and ZIP code) 4620 S. Tripp Ave., Chicago, IL 60632 | 4b. Telephone No. (773) 254-7460 | |
| 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) International Brotherhood of Teamsters | | |
| 6 DECLARATION | | |
| I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief | | |
| By <u><i>Michele Cotrupe</i></u> Signature of representative or person making charge Michele Cotrupe | | Title Attorney |
| Address Asher, Gittler, Greenfield & D'Alba 200 W. Jackson Blvd., Suite 1900, Chicago, IL 60606 | | Telephone No. 312-263-1500 fax 312-263-1520 |
| | | Date November 23, 2010 |

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)**

EXHIBIT

7

RECEIVED
CHICAGO POLICE
REL 11/23/00

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REL 11/23
CHICAGO, IL



United States Government
NATIONAL LABOR RELATIONS BOARD
Region 13
209 South LaSalle Street – 9th Floor
Chicago, Illinois 60604
Telephone (312) 353-7570 Fax (312) 886-1341

November 23, 2010

Ms. Bella M. Keigher
Corp. HR Mgr. or Claude Fuger CEO
SK Hand Tool
3535 West 47th St.
Chicago, IL 60632

Re SK Hand Tool, as a debtor in possession
Case 13-CA-46298

Board Agent Elizabeth Cortez
Telephone (312)353-4174
Email address Elizabeth.Cortez@nlrb.gov

Dear Ms. Keigher:

This is to inform you that an amended charge, a copy of which is enclosed, has been filed in the above captioned matter. If you have not yet done so, you are requested to submit promptly a complete written statement of your position in respect to the allegations set forth in the charge and the amendment(s).

All communications and submissions should be made to the Board Agent assigned to this case at the telephone number listed above.

Sincerely,

Joseph A. Barker
Regional Director

nw

Enclosures

cc: Ms. Colleen E. McManus, Esq.
Much Shelist Denenberg Ament &
Rubenstein, P.C.
191 N. Wacker Dr.
Suite 1800
Chicago, IL 60606

Document2 0/0/0000 0 00 00 AM



I certify that I served the above referred charge this day by post-paid regular mail on the addressee named above, together with a transmittal letter of which this is a true copy.

Denise Gatsoudis
Denise Gatsoudis

Subscribed and sworn to before me this 23rd day of November, 2010.

Roberta Davis
(Designated Agent) Roberta Davis

I certify that I served the above referred charge this day by post-paid regular mail on the addressee named above, together with a transmittal letter of which this is a true copy.

Denise Gatsoudis

Denise Gatsoudis

Subscribed and sworn to before me this 23rd day of November, 2010.

Roberta Davis

(Designated Agent) Roberta Davis

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

**SK HAND TOOL, AS A DEBTOR IN
POSSESSION**

and

CASE 13-CA-46119

CASE 13-CA-46298

**INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL UNION 743, AFL-CIO**

**ORDER CONSOLIDATING CASES, CONSOLIDATED
COMPLAINT AND NOTICE OF HEARING**

International Brotherhood of Teamsters Local Union 743, AFL-CIO, herein called the Union, has charged that SK Hand Tool, as a Debtor in Possession, herein called Respondent, has been engaging in unfair labor practices as set forth in the National Labor Relations Act, 29 U.S.C. Section 151 et seq. Based thereon, and in order to avoid unnecessary costs or delay, the General Counsel, by the undersigned, pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board, herein called the Board, ORDERS that these cases are consolidated.

These cases having been consolidated, the General Counsel, by the undersigned, pursuant to Section 10(b) of the Act and Section 102.15 of the Board's Rules and Regulations, issues this Order Consolidating Cases, Consolidated Complaint and Notice of Hearing and alleges as follows:

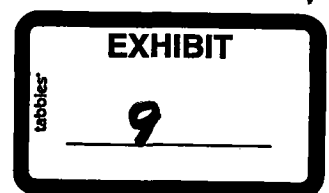
I

(a) The charge in Case 13-CA-46119 was filed by the Charging Party on July 1, 2010, and a copy was served by regular mail on Respondent on July 2, 2010.

(b) The first amended charge in Case 13-CA-46119 was filed by the Charging Party on November 23, 2010, and a copy was served by regular mail on Respondent on November 23, 2010.

(c) The charge in Case 13-CA-46298 was filed by the Charging Party on September 17, 2010 and a copy was served by regular mail on Respondent on September 17, 2010.

(d) The first amended charge in Case 13-CA-46298 was filed by the Charging Party on November 23, 2010, and a copy was served by regular mail on Respondent on November 23, 2010.



II

(a) Since about June 29, 2010, Respondent has been a debtor-in-possession with full authority to continue its operations and to exercise all powers necessary to administer its business.

(b) At all material times, Respondent, an Illinois corporation with an office and place of business in Chicago, Illinois, has been engaged in the business of manufacturing and shipping tools.

(c) During the past calendar year, a representative period, Respondent, in conducting its business operations described above in paragraph II (b), purchased and received at its Chicago facility goods and service valued in excess of \$50,000 from points located outside the State of Illinois.

(d) At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

III

At all material times the Union has been a labor organization within the meaning of Section 2(5) of the Act.

IV

At all material times the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act):

Claude Fugar
Bella Keigher

President
Human Resources Manager

V

(a) The following employees of Respondent, herein called the Unit, constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All Production, Maintenance and Warehouse employees, but excluding office clerical employees, office janitors, all other employees, timekeepers, time study men, professional employees, watchmen, guards and supervisors as defined by the National Labor Relations Act for its plant located at 3535 West 47th Street, Chicago, Illinois.

(b) At all times since October 14, 1968, based on Section 9(a) of the Act, the Union has been the exclusive collective-bargaining representative of the Unit.

(c) About November 3, 2009, the Union and Respondent reached complete agreement on terms and conditions of employment of the Unit to be incorporated in a collective-bargaining agreement.

(d) Since February 15, 2010, the Union has requested that Respondent execute a written contract containing the agreement described above in paragraph V(c).

(e) Since June 29, 2010, Respondent, by Bella Keigher, has failed and refused to execute the agreement described above in paragraph V(c).

(f) On June 29, 2010, Respondent failed to continue in effect all the terms and conditions of the agreement described above in paragraph V(c) by failing to pay vacation pay owed to the bargaining unit employees named below:

| | |
|------------------------|---------------------|
| Botrice, Sami | Neff, Julia |
| Cobar, Julio | Oliveras, Jose |
| Del Real, Everardo T. | Pope, Sam |
| Flig, Czeslaw | Prach, Kim Sour |
| Fox, Joseph | Ramirez, Fernando |
| Gavatski, Dejan | Ramirez, Salvador |
| Jaquez, Ana | Rodriguez, Maria S. |
| Khuu, Cao | Roman, Francisco J. |
| Kobek, Joseph | Seidler, Kenneth J. |
| Kulik, Zoltan M. | Spiewak, Terrance |
| Marusarz, Wladyslaw | Terry, Freddie |
| Napiorlowska, Margaret | Trinidad, Norma |

(g) The subject set forth above in paragraphs V(f) relates to wages, hours and other terms and conditions of employment of the Unit and is a mandatory subject for the purposes of collective bargaining.

(h) Respondent engaged in the conduct described above in paragraphs V(f) without the Union's consent.

VI

By the conduct described above in paragraphs V(e) and (f), Respondent has been failing and refusing to bargain collectively and in good faith with the exclusive collective-bargaining representative of its employees within the meaning of Section 8(d) of the Act in violation of Section 8(a)(1) and (5) and affecting commerce within the meaning of Section 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the consolidated complaint. The answer must be **received by this office on or before December 14, 2010, or postmarked on or before December 13, 2010.** Unless filed electronically in a pdf format, Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically by using the E-Filing system on the Agency's website. In order to file an answer electronically, access the Agency's website at <http://www.nlr.gov>, click on **E-Gov**, then click on the **E-Filing** link on the pull-down menu. Click on the "File Documents" button under "Regional, Subregional and Resident Offices" and then follow the directions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the document need to be transmitted to the Regional Office. However, if the electronic version of an answer to an order consolidating cases, consolidated complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing.

Service of the answer on each of the other parties must be accomplished in conformance with the requirements of Section 102.114 of the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed or if an answer is filed untimely, the Board may find, pursuant to Motion for Default Judgment, that the allegations in the consolidated complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on **February 15, 2011, at 10:00AM** at **209 South LaSalle Street, Suite 900, Chicago, Illinois**, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this consolidated complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.



11

Dated at Chicago, Illinois, this 30th day of November, 2010.

/s/ **Joseph A. Barker**

Joseph A. Barker, Regional Director
National Labor Relations Board
Region 13
209 South LaSalle Street, 9th Floor
Chicago, IL 60604

Attachments

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case: 13-CA-46119
13-CA-46298

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end. An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing.

However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements **will not be granted** unless good and sufficient grounds are shown **and** the following requirements are met:

(1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).

(2) Grounds must be set forth in **detail**;

(3) Alternative dates for any rescheduled hearing must be given;

(4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; **and**

(5) Copies must be simultaneously served on all other parties (*listed below*), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

International Brotherhood of Teamsters, Local 743
4620 South Tripp Avenue
Chicago, IL 60632

Ms. Michele Cotrupe
Attorney
Asher, Gittler, Greenfield & D'Alba
200 West Jackson Blvd.
Suite 1900
Chicago, IL 60606

Ms. Bella M. Keigher
Corp. HR Mgr. or Claude Fuger CEO
SK Hand Tool
3535 West 47th St.
Chicago, IL 60632

Mr. Bill Anspach, Esq.
Much Shelist
191 N. Wacker Dr.
Suite 1800
Chicago, IL 60606

Ms. Colleen E. McManus, Esq.
Much Shelist Denenberg Ament & Rubenstein, P.C.
191 N. Wacker Dr.
Suite 1800
Chicago, IL 60606



**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

**SK HAND TOOL, AS A DEBTOR IN
POSSESSION**

And

CASE 13-CA-46119

CASE 13-CA-46298

**INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL UNION 743, AFL-CIO**

**ORDER CONSOLIDATING CONSOLIDATED COMPLAINT AND
COMPLIANCE SPECIFICATION AND NOTICE OF
CONSOLIDATED HEARING**

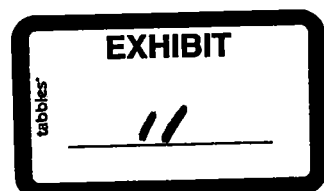
On November 30, 2010, the Acting General Counsel, by the undersigned Regional Director for Region 13 of the National Labor Relations Board, issued an Order Consolidating Cases, Consolidated Complaint and Notice of Hearing in cases 13-CA-46119 and 13-CA-46298.

The undersigned, in order to effectuate the purposes and policies of the Act and to avoid unnecessary costs and delay, pursuant to Section 102.54 (c) of the Rules and Regulations of the National Labor Relations Board, now issues an Order Consolidating the Consolidated Complaint with the Compliance Specification and Notice of Consolidated Hearing. The undersigned issues this Compliance Specification and Notice of Consolidated Hearing to provide for the resolution of any controversies that may exist over Respondent's liability for remedying the allegations of the Consolidated Complaint and the amount of back pay due to the discriminatees named herein and alleges as follows:

I

(a) About November 3, 2009, the Union and Respondent reached complete agreement on terms and conditions of employment of the Unit to be incorporated in a collective-bargaining agreement.

(b) Pursuant to Section 1, Article XV of the parties' collective-bargaining agreement described above in paragraphs I(a) each employee who has been continuously in the employ of Respondent for one (1) year and less than five (5) years shall receive during such vacation year one (1) week vacation with pay {forty (40) hours}. Each employee who has been continuously in the employ of Respondent for five (5) years but less than twelve (12) years shall receive two (2) weeks' vacation with pay {eighty (80)}



hours}. Each employee who has been continuously in the employ of Respondent for twelve (12) years but less than twenty-five (25) years before November 1, 2009, shall receive three (3) weeks' vacation with pay {one hundred and twenty (120) hours}. Each employee who has been continuously in the employ of Respondent for twenty-five (25) years or more before November 1, 2009, shall receive four (4) weeks' vacation with pay {one hundred and sixty (160) hours}.

(c) Pursuant to Section 1, Article XV of the parties' collective-bargaining agreement described above in paragraphs I(a) each employee who has been continuously in the employ of Respondent for twenty (2) years or more shall receive a vacation bonus of \$100.00 to be paid not more than once a year on the first pay period of July. An employee with twenty-five (25) or more years of continuous service will receive an additional \$50.00 vacation bonus.

(d) On June 29, 2010, Respondent failed to continue in effect all the terms and conditions of the agreement described above in paragraph I(a) by failing, per Article XV of the collective bargaining agreement, to pay vacation pay owed to the bargaining unit employees.

(e) Each week of paid vacation is assumed to be equal to 40 hours of paid leave.

(f) The vacation pay due each of the discriminatees named is equal to the total number of weeks owed to them in accordance with the schedule set forth in paragraph I(b) multiplied by forty (40), with that product then multiplied by each employees wage rate paid at the time of their separation from Respondent.

(g) The amount due and owing each discriminatee is calculated and set forth opposite their name and listed in Attachment A.

II

The Regional Director reserves the right to amend any or all provisions of this Specification by inclusion of information not now known to the Regional Director.

III

Summarizing the facts and calculations specified above, the obligation of Respondent to make whole the discriminatees named will be discharged by payment in the amount of \$37,580.18, plus interest accrued to date of payment minus the withholding tax required by Federal and State laws.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.56 of the Board's Rules and Regulations, it must file an answer to the Compliance Specification. The answer to the Compliance Specification must be **received by this office on or before January 11,**

2011, or postmarked on or before January 10, 2011. Unless filed electronically in a pdf format, Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically by using the E-Filing system on the Agency's website. In order to file an answer electronically, access the Agency's website at <http://www.nlr.gov>, click on **E-Gov**, then click on the **E-Filing** link on the pull-down menu. Click on the "File Documents" button under "Regional, Subregional and Resident Offices" and then follow the directions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.56 (a). If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the document need to be transmitted to the Regional Office. However, if the electronic version of an answer to a Compliance Specification is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing.

Service of the answer on each of the other parties must be accomplished in conformance with the requirements of Section 102.56 (a) of the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed or if an answer is filed untimely, the Board may find, pursuant to Motion for Default Judgment, that the allegations in the consolidate complaint are true.

NOTICE OF CONSOLIDATED HEARING

PLEASE TAKE NOTICE THAT on **February 15, 2011, at 10:00AM** at **209 South LaSalle Street, Suite 900, Chicago, Illinois**, and on consecutive days thereafter until concluded, a consolidated hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this consolidated complaint and compliance specification. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated at Chicago, Illinois, this 21st day of December, 2010.

/s/ *Joseph A. Barker*

Joseph A. Barker, Regional Director
National Labor Relations Board
Region 13
209 South LaSalle Street, 9th Floor
Chicago, IL 60604

Attachments

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ATTACHMENT A

| Name: | Gross Vacation Pay Due: |
|------------------------|-------------------------|
| Alarcon Eulalio | 446.72 |
| Barrios, Irma | 925.76 |
| Botrice, Sami | 1,968.40 |
| Cobar, Julio | 385.28 |
| Del Real, Everardo T. | 744.40 |
| Flig, Czeslaw | 450.72 |
| Fox, Joseph | 302.08 |
| Gavatski, Dejan | 1,198.40 |
| Hall, William | 80.80 |
| Jacelymabak, A. | 808.00 |
| Jaquez, Ana | 812.88 |
| Johnson, James | 185.00 |
| Khuu, Cao | 96.00 |
| Kobek, Joseph | 1,438.80 |
| Kulik, Zoltan M. | 457.60 |
| Lesnicki, Maria B. | 1,123.02 |
| Martinez, Maria | 404.00 |
| Marusarz, Wladyslaw | 1,544.80 |
| Napiorlowska, Margaret | 1,536.00 |
| Neff, Julia | 2,296.00 |
| Negron, Marta M. | 1,639.68 |
| Oliveras, Jose | 3,238.72 |
| Pope, Sam | 602.40 |
| Prach, Kim Sour | 2,228.80 |
| Ptaszynski, Stanislaw | 2,232.00 |
| Ramirez, Fernando | 274.56 |
| Ramirez, Salvador | 727.20 |
| Rodriguez, Maria S. | 400.56 |
| Roman, Francisco J. | 1,289.28 |
| Seidler, Kenneth J. | 324.00 |
| Spiewak, Terrance | 409.68 |
| Talowski, Anna | 792.80 |
| Terry, Freddie | 1,642.80 |
| Trinidad, Norma | 471.04 |
| Wolny, Andrew E. | 4,102.00 |
| TOTAL: | \$37,580.18 |



1

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case: 13-CA-46119
13-CA-46298

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end. An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing.

However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements **will not be granted** unless good and sufficient grounds are shown **and** the following requirements are met:

(1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).

(2) Grounds must be set forth in **detail**;

(3) Alternative dates for any rescheduled hearing must be given;

(4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; **and**

(5) Copies must be simultaneously served on all other parties (*listed below*), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

International Brotherhood of Teamsters, Local 743
4620 South Tripp Avenue
Chicago, IL 60632

Ms. Michele Cotrupe
Attorney
Asher, Gittler, Greenfield & D'Alba
200 West Jackson Blvd.
Suite 1900
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Ms. Bella M. Keigher
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SK Hand Tool
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Mr. Bill Anspach, Esq.
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191 N. Wacker Dr.
Suite 1800
Chicago, IL 60606

Ms. Colleen E. McManus, Esq.
Much Shelist Denenberg Ament & Rubenstein, P.C.
191 N. Wacker Dr.
Suite 1800
Chicago, IL 60606





United States Government
NATIONAL LABOR RELATIONS BOARD
Region 13
209 South LaSalle Street, Suite 900
Chicago, Illinois 60604-1219

January 13, 2011

VIA EMAIL & CERTIFIED MAIL

Mr. Bill Anspach, Esq.
Ms. Colleen McManus, Esq.
MUCH SHELIST
191 N. Wacker Dr.
Suite 1800
Chicago, IL 60606

wanspach@muchshelist.com
cmcmamus@muchshelist.com

Re: SK Hand Tool
13-CA-46119
13-CA-46298

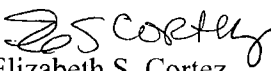
Dear Mr. Anspach and Ms. McManus:

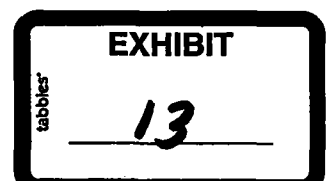
On November 30, 2010, the Regional Director of Region 13 issued an Order Consolidating Cases and Consolidated Complaint in the above-captioned case. A copy of the Complaint was served on you by certified mail on December 2, 2010. Pursuant to Section 102.20 and 102.21 of the Board's Rules and Regulations, the Respondent was required to file with the Regional Director an original and four (4) copies of an Answer by no later than December 14, 2010. As of this date, the Regional Office has still not received your Answer to the Complaint. Therefore, please be advised that I plan on recommending that a Motion for Default Judgment be filed with the Board.

Similarly, on December 21, 2010, the Regional Director issued an Order Consolidating Consolidated Complaint and Compliance Specification in the above captioned matter. A copy of the Complaint and Compliance Specification was served on you by certified mail on December 23, 2010. Pursuant to Section 102.56 of the Board's Rules and Regulations, the Respondent was required to file with the Regional Director an original and four (4) copies of an Answer by no later than January 10, 2011. As of this date, the Regional Office has still not received your Answer to the Compliance Specification either. Therefore, please be advised that I will recommend that a Motion for Default Judgment be filed with the Board, if an Answer to the Compliance Specification is not received in the Regional Office by the close of business on January 20, 2011. For your convenience, I have enclosed a copy of both the Consolidated Complaint and Compliance Specification.

If you have any questions or wish to discuss settlement of this case, please feel free to contact me at (312)353-4174.

Sincerely,


Elizabeth S. Cortez
Attorney



| SENDER: COMPLETE THIS SECTION | | COMPLETE THIS SECTION ON DELIVERY | |
|--|--|---|--|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | | A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X | |
| 1. Article Addressed to: Ms. Colleen E. McManus, Esq. S K Hand Tool 13-CA-46119 13-CA-46298 Letter | | B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No | |
| | | 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. | |
| | | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| 2. Article Number (Transfer from service label) | | 7009 0820 0001 4749 8186 | |

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

| SENDER: | | I also wish to receive the following services (for an extra fee): | |
|---|--|---|--|
| <ul style="list-style-type: none"> Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered. | | 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee. | |
| 3. Article Addressed to: Ms. Bella M. Keigher Cases 13-RC-46119, 46298 [CONS.COMPL. & COMPL. SPC E.C.] | | 4a. Article Number 7009 0820 0001 4749 7769 | |
| 4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD | | 7. Date of Delivery JAN 18 2011 | |
| 5. Received By: (Print Name) CHGO IL 60606 900 | | 8. Addressee's Address (only if requested and fee is paid) | |
| 6. Signature: (Addressee or Agent) X | | Domestic Return Receipt | |

PS Form 3811, December 1994

Thank you for using Return Receipt Service.

EXHIBIT

tabbles

14

MLRB
ORDER SECTION

2011 JAN 28 PM 2:45

RECEIVED